

## REMARKS

Reconsideration of the above-identified application in view of the present amendment and accompanying Terminal Disclaimer is respectfully requested.

By the present amendment, claim 14 is cancelled. Further, new claims 39-45 are added.

Turning the rejection of claims in view of cited prior art, these rejections are respectfully traversed.

The first proffered rejection is based upon Glasson (U.S. Patent No. 5,781,450). However, it is to be appreciated that the Glasson patent is directed to a three dimensional object inspection system. The device of Glasson obtains three coordinate values (x, y, and z) for each contact with the piece to measured. As such, the Glasson device deduces, by means of the coordinate values, the shape and dimensions of the features being measured.

The Office action, at page 5, makes reference to column 6, lines 26-39 of the Glasson patent. Within the cited passage, it is noted that the Glasson device makes an automatic determination of the feature type defined by the coordinates based upon contact of the probe. However, this in distinction from the dimension-measuring column and methodology associated with the present invention. Within the present invention, a single dimension measurement is taken when the column is placed into a measuring mode via position of the probe tip. Specifically, the command to switch the measure mode is entered by only making use of the position of the probe tip. Within the Glasson patent, there is no discussion that the disclosed device enters a measurement mode because the three dimensional machine chooses autonomously to make a measurement, based upon the features of the shape under measure, without the need of an explicit command that results

from the position of the probe tip. As such, the three dimensional machine of Glasson, although seemingly very similar to the present invention, does not satisfy all of the claim limitations. Therefore, all of the claims are allowable in view of the Glasson patent.

Turning to some of the specifics of the claims, it should be noted that claim 3, for example, recites that a measurement of the probing point is effected when the probe tip is pressed against the piece to be measured during a time interval shorter than the predetermined value. Claim 2, upon which claim 3 depends, recites that the command to switch the measure mode is entered by pressing the tip against the piece to be measured during a time interval greater than a predetermined value. In sum, these limitations identify that entry of the measure mode only occurs when the probe tip is pressed for a time greater than that which is needed to make a measurement. Such a concept is clarified within the added claims, such as claim 43, which recites that the predetermined value is a required duration that is greater than the time interval needed to obtain the measurement. The Glasson patent does not disclose any such required time durations. Specifically, so long as the Glasson device makes contact for a sufficient duration to make a spatial (i.e., x, y and z coordinates) determination, the spatial determination is made. There is no contemplation within the Glasson patent of a need to have a pressing contact of a time period greater than that which is necessary to obtain a three-dimension coordinate. As such, the claims directed to these concepts are clearly distinguished from the Glasson patent.

In view of the forgoing, it is respectfully submitted that all of the presently pending claims are allowable over the Glasson patent.

Turning to second proffered rejection, which is based upon the patent to Kimura (U.S. Patent No. 6,401,352), the rejection is respectfully traversed. It is

noted that the Kimura patent discloses a linear measuring column. However, the Kimura patent does not disclose a command to switch to the measuring mode as is set forth within the present claims. The Office action explicitly states that the Kimura patent discloses that the measuring mode is selected by pressing the probe tip against the piece to be measured during a time interval greater than a predetermined value. However, it is respectfully submitted that the Kimura patent does not have such a disclosure. If the Examiner can specifically identify the passage within the Kimura patent in which this aspect is set forth, such an identification will be greatly appreciated. It is respectfully submitted that no such passage can be identified because of the lack of the teaching provided by the Kimura patent.

In view of the forgoing, it is respectfully submitted that all the presently pending claims are allowable in view of the Kimura patent.

Turning to the rejection based upon the patent to Matsuki (U.S. Patent No. 6,307,084), it respectfully submitted that the Matsuki patent suffers from defects present for both the Glasson patent and Kimura patent. First, the Matsuki patent is a three dimensional mechanism similar to the Glasson patent. As such, the Matsuki patent suffers from the same deficiencies as the Glasson patent. As applicable, the discussion directed at Glasson is incorporated here at by reference. Still further, similar to the Kimura patent, the Matsuki patent does not disclose the concept of a measure mode that is entered only by making use the position of the probe tip. If the Examiner had a specific passage which identifies the entry of measure mode by only making use of the position of the probe tip, it is respectfully requested that the Examiner so identify that passage. It is respectfully submitted that no such passage exists.

Appl. No. 10/718,859  
Amdt. dated September 1, 2004  
Reply to Office action of May 8, 2004

In view of the forgoing, it is respectfully submitted that all of the claims are allowable in view of Matsuki.

In view of the forgoing, it is respectfully submitted that the above-identified application in condition for allowance and allowance of the above-identified application is respectfully requested.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 34119US1.

Respectfully submitted,  
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